

REMARKS

This application has been reviewed in light of the Office Action dated December 14, 2007. Claims 1-3, 5, 6, 9-12, 15 and 18 are presented for examination, of which Claims 1, 6, 9 and 15 are in independent form. Claim 18 has been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Claim 18 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has carefully reviewed and amended Claim 18 as deemed necessary to ensure that it conforms fully to the requirements of section 112, second paragraph, with special attention to the points raised in page 2 of the Office Action. It is believed that the rejection under Section 112 has been obviated and its withdrawal is, therefore, respectfully requested.

Claims 1, 2, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,434,569 (Toshimitsu et al.) in view of U.S. Patent No. 6,822,676 (Kurosawa et al.).

Claims 3 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Toshimitsu et al. in view of Kurosawa et al. and in further view of U.S. Patent Application Publication No. 2002/0099569 (Thirsk).

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Toshimitsu et al. in view of Kurosawa et al. and Thirsk and in further view of U.S. Patent Application Publication No. 2003/0055317 (Taniguchi et al.).

Claims 6 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Toshimitsu et al. in view of Kurosawa et al. and U.S. Patent Application Publication No. 2004/0062421 (Jajubowski et al.).

Claim 11 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Toshimitsu et al. in view of Kurosawa et al. and in further view of Taniguchi et al.

Applicants state that Kurosawa et al. and the present application were commonly owned, or subject to assignment to the same person, at the time the present invention was made. Accordingly, Kurosawa et al. can be removed as a reference against the present application. Applicant further states the Japanese Patent Application Laid Open No. JP11-205635, from which the Kurosawa claims priority, does not teach or suggest that presence or absence of the image reading report is judged, and the change of displaying the medical image is restricted in case the image reading report is judged absent (Applicants would be pleased to submit a translation of this application if the Examiner wishes).

Claim 1 is directed to a medical image handling system including a) a monitor for displaying a medical image; b) an input device for inputting an image reading report corresponding to the medical image displayed on said monitor; and c) a processor configured to process a control of judging presence or absence of the image reading report corresponding to the medical image displayed on said monitor and restricting a change of displaying the medical image, in case the image reading report is judged absent.

Toshimitsu et al. does not teach or suggest “a processor configured to process a control of judging presence or absence of the image reading report corresponding to the medical image displayed on said monitor and restricting a change of displaying the medical image, in case the image reading report is judged absent,” as recited in Claim 1. From the Office Action, it is understood that the Examiner does not disagree.

Accordingly, Applicants submit that Claim 1 is patentable over Toshimitsu et

al.

A review of the other art, including Thirsk, Taniguchi et al. and Jakubowski et al., of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 1.

Claim 6 is directed to a medical image handling system including a) a monitor for displaying a medical image; b) an input device for inputting an image reading report corresponding to the medical image displayed on said monitor; and c) a processor configured to process a control of judging presence or absence of the image reading report corresponding to the displayed medical image and inputting an image reading report which is set to no observation instead of the input device, in case the image reading report is judged absent and the medical image displayed on the monitor is changed, or in case a predetermined time is elapsed.

Toshimitsu et al. does not teach or suggest "a processor configured to process a control of judging presence or absence of the image reading report corresponding to the displayed medical image and inputting an image reading report which is set to no observation instead of the input device, in case the image reading report is judged absent and the medical image displayed on the monitor is changed, or in case a predetermined time is elapsed," as recited in Claim 6.

From the Office Action, it is understood that the Examiner does not disagree.

Jakubowski et al. does not remedy the deficiencies of Toshimitsu et al. Jakubowski et al. relates to a system for generating composite reports for confirming identity and check-in time of personnel at a personnel checkpoint. In paragraph [0051], Jakubowski et al. discusses the composite report generator marking a composite report with a warning flag if the current time is outside of a selected elapsed time range. This, however, has nothing to do with

inputting an image reading report which is set to no observation. Thus, Applicants have found nothing in Jakubowski et al. that would teach or suggest “a processor configured to process a control of judging presence or absence of the image reading report corresponding to the displayed medical image and inputting an image reading report which is set to no observation instead of the input device, in case the image reading report is judged absent and the medical image displayed on the monitor is changed, or in case a predetermined time is elapsed,” as recited in Claim 6.

Accordingly, Applicants submit that Claim 6 is patentable over Toshimitsu et al. and Jakubowski et al., whether considered separately or in any permissible combination (if any).

A review of the other art of record, including Thirsk and Taniguchi et al., has failed to reveal anything which, in Applicants’ opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 6.

Independent Claims 9 and 15 are method claims corresponding to apparatus Claims 1 and 6, respectively, and are believed to be patentable over the cited prior art for at least the same reasons as discussed above in connection with Claims 1 and 6.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R.

§ 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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